

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JAMES LEE FARMER, )  
 )  
 v. ) C.A. No. 02-17 Erie  
 )  
 HARRY E. WILSON. )

**PETITIONER'S MOTION TO DISMISS HABEAS PETITION**

AND NOW, comes the petitioner, James Lee Farmer, by his attorney, Assistant Federal Public Defender Thomas W. Patton, and files this Motion to Dismiss Habeas Petition. In support thereof counsel states:

1. Mr. Farmer has filed a petition pursuant to 28 U.S.C. § 2254, asking this Court for relief from his conviction at Erie County Court of Common Pleas Criminal No. 1359 of 1998.

2. Attached as Exhibit A is an affidavit from Mr. Farmer stating his desire to withdraw the habeas petition.

3. Accordingly, Mr. Farmer respectfully requests that this Court dismiss his habeas petition.

WHEREFORE, for the foregoing reasons, Mr. Farmer respectfully requests that this Court enter an order dismissing his habeas petition

Respectfully submitted,

/s/ Thomas W. Patton  
Thomas W. Patton  
Assistant Federal Public Defender  
P.A. I.D. No. 88653